

Untitled

D. T. E. 00-97

ORDER OF NOTICE

Western Massachusetts Electric Company ("Company") is required to publish the attached notice of filing and public hearing at least fourteen (14) days prior to the public hearing date of January 25, 2001. The Company shall publish said notice in The Berkshire Eagle (Pittsfield), the Springfield Union-News and the Boston Globe.

The Company is further ordered to serve a copy of this notice by mail to the service list in D.T.E. 97-120, the Chairmen of the Boards of Selectmen, the Mayors, and the City Clerks in every municipality in their service territory.

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The Company is required to make return of service and publication at the time of the public hearing on January 25, 2001.

By Order of the Department,

Mary L. Cottrell, Secretary

NOTICE OF FILING AND PUBLIC HEARING

D. T. E. 00-97

Untitled

Petition of Western Massachusetts Electric Company regarding sale of capacity and associated energy related to the Hydro-Quebec Firm Energy Contract.

On November 2, 2000, Western Massachusetts Electric Company ("WMECo" or "Company") filed a Petition requesting approval by the Department of Telecommunications and Energy ("Department"), pursuant to G.L. c. 164 §§ 1A, 1G, 76, 94 and 94A, of its resale and agency agreement ("Agreement") with Constellation Power Source, Inc. ("CPS"). The Agreement provides for resale of WMECO's capacity and associated energy interests in a Firm Energy Contract ("Contract") between Hydro-Quebec and New England Utilities. WMECo states that the value attained for its interests in the Contract will be applied to offset the Company's transition costs.

Pursuant to the Electric Restructuring Act, St. 1997, c. 164,

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and the order of the Department in D.T.E. 97-120, WMECo has undertaken efforts to divest its portfolio of generating assets. The Company's purchased power agreements ("PPAs") with independent power producers included a 3.83% interest in the Contract between Hydro-Quebec and New England Utilities. The Contract was to terminate on August 31, 2001. WMECo's interest was auctioned, along with the 18.82% interest in the same contract of affiliate Connecticut Light and Power ("CL&P") and other CL&P PPAs. The Connecticut Department of Public Utility Control administered the auction in accordance with the Connecticut Restructuring Act (Conn. Gen. Stat. Section 16-244f).

In the Petition, the Company seeks approval of the April 10, 2000 Capacity and Associated Energy Resale and Agency Agreement between WMECo and CPS. The Agreement provides for the sale of substantially all of WMECo's rights under the Contract to CPS, for payments by CPS to WMECo for capacity and associated energy in accordance with the Contract terms, and for additional monthly payments by CPS to WMECo. WMECo states that the Agreement fully mitigates transition costs and that the value attained under the Agreement will be included against the Company's Transition Charge pursuant to G.L. c. 164, 1G(d)(1)(i).

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The Company's Petition and supporting documents may be inspected at the offices of the Department, One South Station, Boston, MA 02110, Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., or at the offices of the Company at 174 Brush Hill Ave. West Springfield, MA 01090-2010 (contact: Stephen Klionsky, Esq., 617-345-4778).

The Department of Telecommunications and Energy will hold a public hearing to receive comments on the Petition and a procedural conference on the above-captioned matter on January 25, 2001 at 10:00 a.m. at its Boston offices, One South Station, Boston, MA 02110.

Any person wishing to submit written comments on the Petition should file an original and three (3) copies of comments with Mary L. Cottrell, Secretary to the Department of Telecommunications and Energy, One South Station, Boston, MA 02110 by the close of business (5:00 p.m.) on January 25, 2001.

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Any person who wishes to participate in the adjudicatory proceeding concerning the Petition must file a written petition for leave to intervene or to participate in the proceeding with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, MA 02110, not later than the close of business (5:00 p.m.) on January 18 2001. A petition to intervene must satisfy the timing and substantive requirements of G.L. c. 30A, § 10, and 220 C.M.R. § 1.03. Receipt by the Department -- not mailing -- constitutes filing and determines whether a petition has been timely filed. A late-filed petition may be disallowed as untimely, unless good cause is shown pursuant to 220 C.M.R. § 1.01 (4) for a waiver of the timing requirement. To be allowed, a petition to intervene filed pursuant to 220 C.M.R. § 1.03 (1) must satisfy the standing requirements of G.L. c. 30A, § 10.

All written pleadings or comments also must be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us, cc: Hearing Officer at marcella.hickey@state.ma.us; or (2) on a 3.5" floppy diskette, IBM-compatible format. The text of the e-mail or the diskette label must specify: (1) an easily

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identifiable case caption; (2) docket number; (3) name of the person or company submitting the filing, and (4) a brief descriptive title of document (e.g., comments or petition to intervene). The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix) or in Microsoft Word (naming the document with a ".doc" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department's Website, <http://www.state.ma.us/dpu/>.

By Order of the Department,

Mary L. Cottrell, Secretary